



Texas Juvenile Justice Department

Board Meeting

11209 Metric Blvd., Building H, Austin, Texas 78757

Friday, October 18, 2013 – 9:00 a.m.

BOARD MEMBERS PRESENT:

Scott W. Fisher, Board Chairman
The Honorable John Brieden III
The Honorable Laura Parker
The Honorable Jimmy Smith
Becky Gregory
Jane Anderson King

Scott Matthew
Dr. Rene Olvera
Melissa Weiss
MaryLou Mendoza (arrived 9:14 a.m.)

BOARD MEMBERS ABSENT:

Joseph Brown

EXECUTIVE STAFF PRESENT:

Mike Griffiths, Executive Director
Eleazar Garcia, Chief Internal Auditor
Brett Bray, General Counsel
Elaine Mays, Chief Information & Technology Officer
Amy Lopez, Sr. Director, Education Services
Lisa Capers, Sr. Director, Administration & Training
Teresa Stroud, Sr. Director, State Programs & Facilities
James Williams, Sr. Director, Probation & Community Services

Linda Brooke, Chief of Staff
Dr. Rajendra Parikh, Medical Director
Roland Luna, Chief Inspector General
Jim Hurley, Communications Manager
Mike Meyer, Chief Financial Officer
Jeannette Cantu, Executive Assistant

OTHER GUESTS PRESENT:

Brandy Baptiste, Travis Co.	Estela Medina, Travis Co.	Darryl Beatty, Travis Co.
Steve Roman, TJJD	Karol Davidson, TJJD	Ashley Kintzer, TJJD
David Tumlinson, Cameron Co.	Kimberly Schmid, Lt. Gov. Office	Kenneth Ming, TJJD
Phil Hayes, Cass Co.	Glen McKenzie	Doug Vance, Brazos Co.
Keith Yawn, House Approp.	Pete Heller, TJJD	Xavier Casares, TJJD
Jose D. Castillo, Cameron Co.	Connie Simon, TJJD	Sheri Short, Navarro College
Lesly Jacobs, TJJD	Debbie Unruh, Ombudsman	Chelsea Buchholtz, TJJD
Christina Ybarra, TJJD	Tammy Holland, TJJD	Kevin DuBose, TJJD
John Isle, TJJD	Vanessa Burgess, TJJD	Kevin Niemeyer, LBB
Kavita Gupta, TJJD	Rebecca Thomas, TJJD	Katrena Plummer, TJJD
Jeannette Lepe, TJJD	Lucy Rodriguez, TJJD	Terri Dollar, TJJD
Dorothy Roberts, TJJD	Shakira Pumphrey, Speaker's ofc	Scott Friedman, TJJD
M.A. MacLeod, TJJD	Lesley French, TJJD	Fred Meinke, TJJD
Efrain Resendez, TJJD		

Call to Order

Chairman Fisher called the meeting to order at 9:05 a.m. A quorum was present.

Prayer

Mr. Abraham Lopez, TJJD employee, opened the meeting with a prayer.

Pledge

The Pledge of Allegiance was recited.

Excuse Absences

Ms. Jane King moved to excuse the absence of Mr. Joseph Brown and Ms. MaryLou Mendoza. Mr. Calvin Stephens seconded. The motion passed unanimously. *(Ms. Mendoza arrived at 9:14 a.m.)*

Public Comments

There were no public comments.

Report from the Chairman

Chairman Scott W. Fisher provided the members an informational packet for BoardEffect software. The on-line tool will assist with managing board business including communication and materials. If we choose to utilize this software, we hope to begin using it before the January Board meeting.

August 30, 2013 Board Meeting Minutes

Mr. Scott Matthew moved to approve the August 30, 2013 meeting minutes. Ms. King seconded. The motion passed unanimously.

Report from the Executive Director

Mike Griffiths, Executive Director, provided a written report to the board. The Corsicana Residential Treatment Center (CRTC) closure plan was submitted to the Legislative Budget Board (LBB) and Senior Leadership as directed by the rider. Internal and external case reviews at CRTC were completed for the 72 youth currently at the facility. He and Chairman Fisher met with Speaker Straus's office and at the request the Legislative Budget Board (LBB) Senate members. Meetings were held with their staff regarding the closure plan submitted to the LBB. TJJD leadership, the Office of the Independent Ombudsman, the Office of the Inspector General (OIG) and UTMB Medical Services are meeting weekly to gauge the safety and treatment needs of youth at CRTC. Mr. Griffiths advised the board that he and Senior Directors Teresa Stroud met with Corsicana staff earlier this week, they expressed the concern from staff that the delay of the decision by the LBB is having a huge impact on youth and their families and our staff and their families causing stress and anxiety. It is also affecting us, agency wide, in regard to our deliberate attempt to keep staff positions available in the event that the closure plan is accepted.

Mr. Griffith's highlighted statistics for probation commitments to TJJD, new referrals to probation departments, state average daily population and in the community, showing a decline in most categories. The average daily population in state facilities has declined by almost 200 youth.

Mr. Griffiths reported that most recently, he visited the Gainesville facility, attending their football game and their volunteer appreciation event. He also visited Mart and Giddings and attended the Chief's conference. He stated the remainder of his written report shows the many good things going on in our facilities.

Report from the Inspector General

Chief Inspector General Roland Luna provided an OIG investigative analysis for FY 2013. A total of 11,854 incidents were reported to the Incident Reporting Center (IRC) with the following referrals being made; 622 to Administrative Investigations–State; 1,198 Probation–County; 1,716 were re by OIG for criminal investigations; 5,763 to Youth Rights; 1,570 to State Programs and 985 were closed which includes directives called into the IRC and duplicate cases. OIG submitted 411 criminal investigations cases for prosecution; 492 active directives to apprehend were issued, 81 were conducted by OIG and 290 were conducted by other agencies in which OIG provided intelligence. The FY 2013 investigative life cycle was 430 days; a decrease of 172 days. An improvement of 258 days was attributed to partnering with State Programs, General Counsel and other divisions in the agency. The Board acknowledged and commended Chief Luna on the significant improvement.

Report from the Advisory Council

Ms. Estela Medina, Advisory Council Chair, provided updates on the priority areas the council has been working on; funding and appropriations, Standards Sub-Committee, Sub-Committee on Parole Services, performance measures and program evaluations and costs of probation study. Per the requirement in HB 2733, Teresa Stroud, Senior Director of State Programs and Facilities is the newest member to the Advisory Council. The next council meeting is scheduled for November 22, 2013. In response to a question by Ms. MaryLou Mendoza, Ms. Medina explained the Standards Sub-Committee will work closely with TJJD staff to review current standards and modify them where necessary. However, no changes to standards will be made final until approved by the Board.

Report from the Finance & Audit Committee

Mr. Calvin Stephens reported that the committee met yesterday and discussed with staff many of the items on today's agenda and requested to go straight to those items.

Board authorization to designate a housing allowance for Chaplains

Chairman Fisher explained the Internal Revenue Service (IRS) provision permitting ministers who meet the IRS definition to exclude a designated amount of their salary from federal income tax as a housing allowance. The agency is requesting Board approval to designate up to the percentage requested by each Chaplain as a housing allowance for November 1, 2013 through December 31, 2013 and for those who've requested, January 1, 2014 through December 31, 2014. Chairman Fisher confirmed the agency only authorizes the percentage requested. It is the Chaplains responsibility for reporting to the IRS. Mr. Stephens moved to approve the resolution as submitted for authorization to designate a housing allowance for TJJD Chaplains for November 1, 2013 through December 31, 2013. Ms. King seconded. The motion passed unanimously. Mr. Stephens moved to approve the resolution as submitted for authorization to designate a housing allowance for TJJD Chaplains for calendar year 2014. Ms. Mendoza seconded. The motion passed unanimously.

Contract items requiring Board approval: amounts exceeding \$500,000.00, material changes, and/or other matters deemed appropriate for Board review and action

- a. Cornell Corrections of Texas, dba Abraxas
- b. Associated Marine Institute Kids (AMIkids)
- c. Byrd's Foster Group Home
- d. Gulf Coast Trades Center
- e. Unity Children's Home
- f. University of Texas Medical Branch (UTMB)

Kenneth Ming, Director of Business Operations and Contracts, presented adjustments to contract not-to-exceed amounts for residential service contracts. The Board previously approved the agency to renew these contracts. At that time, the agency budget had not been finalized. The contract amounts are being adjusted to match the projections for the contract bed facilities. In response to a question by Chairman Fisher, Mr. Ming stated these amounts fall within the current budget guidelines. Regarding the UTMB contract, because the Board will not meet again before the end of the year, the agency requests Board approval of a 60-day contract extension to allow staff time to finalize negotiations of the contract renewal. Mr. Stephens moved to approve the resolution as presented. Mr. Jimmy Smith seconded. The motion passed unanimously.

Non-secure residential program services

Mr. Ming reported the agency recently conducted a Request for Proposal (RFP) process for non-secure residential services. The agency received 4 proposals and is in the final stages of the evaluation process. The agency is requesting the Board authorize the Executive Director to enter into negotiations and execute contracts for non-secure residential program services. Ms. King moved to approve the resolution as presented. Judge Laura Parker seconded. The motion passed unanimously.

Audit of Giddings State School

Mr. Eleazar Garcia, Chief Internal Auditor, reported the Giddings State School audit was conducted as part of the facility audits required by Senate Bill 653. The objective was to determine compliance with required operations and protection of youth rights. Recommendations to strengthen controls and improve accountability were provided to management. Management concurs with the results and has provided responses, included with the recommendations at the end of the report. In response to a comment made by Judge Brieden, Mr. Garcia confirmed the seven radios reported missing during the audit were not in fact missing but had been sent for maintenance and not appropriately accounted for. He further clarified the concern is with the process taken to identify their existence. Ms. Mendoza moved to approve the audit. Judge Carol Bush seconded. The motion passed unanimously.

Audit of Texas Administrative Code (TAC) 202

Mr. Garcia reported the objective of the Texas Administrative Code (TAC) 202 was to determine if the agency complies with the requirements. TAC 202 Information Security Standards are set by the Department of Information Resources (DIR) and apply to state agencies. In conducting the audit, it was found the agency does not fully comply. While threats to the agency's information resources are being monitored, management over information security controls need strengthening to ensure protection of the agency's information resources. Revisions and enhances are being made to the business continuity plan to minimize the effects of a disaster. Management concurs with the results of the audit and has provided responses, included with the recommendations at the end of the report.

In regards to the Business Continuity Plan, Elaine Mays, Chief Information & Technology Officer, stated that while the agency was located at the Brown Heatly Building, it was included, operated and supported in the Health and Human Services Commission (HHSC) Business Continuity and Disaster Recovery Plan. Due to the change in office locations, the agency now has to develop its own plan. This will be a challenge because we don't have all the available resources we had while under the HHSC plan. Further discussion ensued regarding the process involved and resource needs in establishing an alternative

operational site and duplicative technology hardware equipment, should there be a disaster. A final plan is expected to be completed by May 2014. Chairman Fisher requested the agency provide a status report on this process at the March Board meeting. Ms. Melissa Weiss moved to approve the audit. Mr. Scott Matthew seconded. The motion passed unanimously.

Audit of Agency Monitoring and Reporting

Mr. Garcia reported the objective of this audit was to assess agency monitoring activities. The agency can build on current practices to strengthen monitoring of its processes to enhance its abilities to achieve stated goals and expectations. There are three lines of oversight for the agency: management, compliance and legal assurance and independent assurance (external reviews). Agency monitoring practices vary by division. Staff noted challenges to monitoring their respective areas. While agency monitoring could be strengthened, there are identified best practices within divisions that are being shared to provide guidance to the agency including Medical Services, Monitoring and Inspections Division, Information Resources and Construction and the Engineering Division. There were no recommendations issued as a result of this audit. Chairman Fisher asked Mr. Griffiths to address the challenge of not having budgeted data readily available in order to track costs. Mr. Griffiths reported the implementation of the legislatively mandated CAPPs automated system will ensure that accurate data is provided sooner. Mr. Griffiths offered to provide a status report at the March Board meeting. Ms. King moved to approve the audit. Dr. Rene Olvera seconded. The motion passed unanimously.

Internal Audit Charter

Mr. Garcia reported the most current Internal Audit Charter was completed and approved by the Board in September 2012. He identified proposed changes to the charter as administrative in nature. Mr. Smith moved to approve the revised charter. Ms. Mendoza seconded. The motion passed unanimously.

FY 2013 Internal Audit Annual Report

Mr. Garcia stated the report is required to be submitted to the Governor's office, LBB, the State Auditor's office (SAO) and the Sunset Advisory Commission by November 1, 2013. The SAO provides guidelines in the seven areas to be reported: compliance with House Bill 16, Internal Audit Plan for FY 2013, consulting engagements and non-audit services completed, external quality assurance review (peer review), Proposed Internal Audit Plan for FY 2014, external audit services and the process for reporting suspected fraud and abuse. Chairman Fisher stated the audit plan is a valuable resource for the Board and welcomed members to let him know if they would like to have something included in the proposed

plan. Ms. King moved to approve the Internal Audit Annual Report. Ms. Weiss seconded. The motion passed unanimously.

FY 2014 Annual Audit Plan

Mr. Garcia presented the proposed FY 2014 Annual Audit Plan outlining the priority areas for audit projects and other administrative projects to be conducted in FY 2014: Endowment Funds; Facilities, Medical Services to youth, staff development and training, human resources, risk management, Gang Intervention Program, fixed assets, student transportation and community relations. In response to a question by Ms. Mendoza, Mr. Garcia stated there is currently a Gang Intervention Program in place and the objective of that audit will be to assess the controls of the program and to ensure compliance with the legislative mandate. Mr. Griffiths further elaborated on the current program and the agency's plan to enhance the program through a collaborative effort of many divisions. Judge Brieden moved to approve the FY 2014 Annual Audit Plan. Mr. Matthew seconded. The motion passed unanimously.

Chairman Fisher called for a 15 minute break.

Report from the Programs Committee

Dr. Olvera provided an overview of the items heard by the Programs Committee at yesterday's meeting. Ms. Teresa Stroud, Senior Director of State Programs and Facilities presented her plan for program performance tracking at each state facility. Ms. Stroud and Dr. Rajendra Parikh, Medical Director, also discussed their closure plan for the transition of staff and youth at the CRTC. Dr. Olvera commended them for their preparedness and thorough plan. Amy Lopez, Senior Director of Education Services, provided an update on the Career Academy. Regarding the Career Academy, Dr. Olvera stated that roughly one quarter of the youth in our facilities have already obtained their high school diploma or GED, therefore are in need of additional programming and continuing education provided through the career academy. The program thus far has been successful and there is currently a waiting list to enter the program.

Report from the Safety and Security Committee

Chairman Fisher stated Mr. Joseph Brown chairs the committee but was not present at yesterday's meeting, leaving Judge Parker to conduct the meeting in his absence. There was not a quorum so no votes were taken on any of the items on the committee agenda. Judge Parker reported they reviewed and considered variance requests, changes to standards (both ministerial and some of interest) and requests for default judgment orders.

Review, discussion, and possible action regarding the Travis County Juvenile Board Application for Permanent Variance for Title 37 Texas Administrative Code Section 343.634 Related to Requirements for Levels of Resident Supervision in Multiple Occupancy Housing Units

Scott Friedman, Monitoring and Inspections Division, presented the applicants variance request. Based on a review of the application, staff believes the applicant has satisfactorily and affirmatively addressed the evaluation criteria for safety. Therefore, the staff recommends the Board approve Travis County's variance request. Mr. Friedman addressed minor modifications to the resolution included in the board materials correcting the date on the resolution and the correction to the acronym for the Intermediate Sanction Center (ISC). These changes have been made in the final resolution for Chairman Fisher's signature. Mr. Matthew moved to approve the resolution granting Travis County's variance request. Judge Parker seconded. The motion passed unanimously.

Review, discussion, and possible action regarding the Cameron County Juvenile Board Applications for Permanent Variance for Title 37 Texas Administrative Code Sections:

- a. 343.352 Related to Requirements for Resident Visitation;
- b. 343.354 Related to Requirements on Limitations on Resident Visitation;
- c. 343.358 Related to Requirements for Resident Telephone Use;
- d. 343.360 Related to Requirements for Resident Mail;
- e. 343.600 Related to Requirements for Pre-Admission Records;
- f. 343.606 Related to Requirements for Resident Orientation

Mr. Friedman presented Cameron County's request for six individual variance applications involving visitation, telephone, mail, admission criteria and resident orientation criteria. The variances are necessary due to the nature of the proposed program to establish a secure post adjudication weekend program and because the post adjudication standards were written with no anticipation for weekend programming so some of the traditional intake, admission and case planning strategies are not relevant to weekend programming. TJJD Staff met with the Cameron County staff extensively and each application met the evaluation criteria. The six applications were consolidated into one proposed resolution and staff recommends the variance requests be granted. Ms. King moved to approve the resolution granting Cameron County's variance requests. Dr. Olvera seconded. The motion passed unanimously.

Discussion and possible approval to publish proposed revisions and one new rule in 37 TAC Chapter 343 in the *Texas Register* for a 30-day public comment period for the following rules: §343.100, §343.322, §343.406, §343.407, §343.600, §343.800, §343.804, §343.816

Mr. Griffiths requested the Board table this item to allow staff additional time to review comments received from stakeholders. Ms. King moved to table this item. Judge Brieden seconded. The motion passed unanimously.

Discussion and possible approval to publish proposed revisions to 37 TAC §380.9198, relating to Therapeutic Restraints, in the *Texas Register* for a 30-day public comment period

Ms. Stroud and Dr. Parikh jointly presented a summary of the proposed revisions. The rule will now refer to four-point restraints, rather than therapeutic restraints. It has been narrowed to apply to only four-point restraints rather than all restraints and clarification has been added to reflect they are not authorized for any reason other than medical or mental health purposes. Guidelines and thorough documentation of the continued assessment and monitoring of the youth are required. The agency ensures guidelines are established and both clinical and non-clinical staff will be fully involved until the arrival of the psychologists. Discussion ensued regarding the proposed revisions to the timelines established. Ms. Weiss moved for approval to publish the proposed revisions. Judge Smith seconded. The motion passed unanimously.

Discussion and possible approval to publish proposed revisions to 37 TAC §380.9723 relating to Use of Force, in the *Texas Register* for a 30-day public comment period

Ms. Stroud reported staff has completed a review of the assigned rules and presented a summary of the proposed revisions. The rule now requires staff that is authorized to administer OC spray, be exposed to the spray during their first OC spray training. Exposure to the spray, understanding the effects and how it impacts you physically ensures how important the decontamination process is. This rule does not apply to the use of four-point restraints. Additional approval is required after the first 30 minutes the youth is in restraints and every two hours thereafter for approval to extend the restraint. The timeframes do not apply if the restraint is for medical purposes. The rule requires youth in restraints be offered opportunities for elimination of bodily waste at least once every two hours and to be provided regularly scheduled meals and drinks. A medical provider's order is required before staff will use force for the administration of medical treatment. At medium restrictions facilities, staff must contact medical staff as soon as possible after a use of force. Discussion ensued regarding the time limit(s) for a youth to be held in restraints. Ms. King moved for approval to publish the proposed revisions. Judge Parker seconded. The motion passed unanimously.

Discussion and possible adoption of the proposed repeal of 37 TAC §380.8761, relating to Substance Abuse Services

Ms. Stroud requested approval to repeal this rule related to substance abuse services because it's repetitive. Most of the content of this rule currently exists in other rules. Ms. Mendoza moved for approval to repeal the rule. Judge Parker seconded. The motion passed unanimously.

Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapter 380 in the *Texas Register* for a 30-day comment period, for the following rules: §380.8501, §§380.8503 – 380.8555, §§380.8559 - 380.8569, and §380.8575

Chairman Fisher stated the Board has had the opportunity to review the proposed revisions to the 14 rules. There were no questions regarding the proposed revisions. Ms. Stroud stated the proposed revisions regarding the placement assignment and assessment for safe housing assignment will ensure the agencies compliance with the Prison Rape Elimination Act (PREA). Judge Bush moved for approval to publish the proposed revisions. Judge Parker seconded. The motion passed unanimously.

Discussion and possible adoption of proposed new 37 TAC Chapter 355, relating to Non-Secure Correctional Facilities

Mr. Williams reported the proposed revisions to this rule were posted in the Texas Register for a 30-day public comment period. There were no comments received. Additional changes were made relating to the health screening and assessments of the youth that makes them consistent with the rules for post adjudication facilities. Those revisions were also posted, with no public comments received. Staff is proposing the Board adopt the final rules as amended and the current emergency rules will be withdrawn. Mr. Matthew moved to adopt the proposed new rule. Judge Smith seconded. The motion passes unanimously.

Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapters 342 and 380 in the *Texas Register* for a 30-day comment period, for the following rules: §§342.1 - 342.3, §380.8571, and §380.8595

Mr. Williams reported staff has completed a review of the assigned rules and provided a summary of the proposed revisions. Revisions to Chapter 342 include a requirement that the facility obtain a certification of suitability as required in the Family Code, sending states who place youth in Texas fully disclose a juvenile's record of suicidal and self-harming behaviors and sexually aggressive behaviors and provide all appropriate and available mental health and education information for the juvenile.

Revisions to Chapter 380 include a requirement for background and criminal history checks for any individual over the age of 14 in the placement home and a requirement that any entity that has issued an active warrant for the youth will now be notified at least 10 days before a youth is discharged. Ms. King moved for approval to publish the proposed revisions. Judge Brieden seconded. The motion passed unanimously.

Discussion of new legislation affecting TJJD, including, HB 3648, SB 1861 and HB 1675

Chelsea Buchholtz, Deputy General Counsel, presented a summary of legislative bills affecting the agency. No action is required; this is for informational purposes only. HB 3648 requires the Board to consider any material changes to contracts, including a contract extension of six months or longer or increasing the total consideration by at least ten percent. Board consideration of material changes to all TJJD contracts will appear as a standing agenda item requiring action by the Board. Discussion ensued regarding examples of material changes, active existing and multi-year contracts that preceded this Board and were approved by previous Boards. Chairman Fisher requested additional information on this subject be brought back to the Board at the January meeting.

SB 1861 makes a number of changes to state contract laws, including a requirement that the Board receive contract management training. The Comptroller is required to develop the training by May of 2014, and all Board members are required to take the training by September of 2015.

HB 1675 allows the Sunset Advisory Commission and its designated staff to attend any meetings and proceedings of any state agency under sunset review, including Board executive closed sessions. This is likely only to happen while the agency is being reviewed by Sunset. Chairman Fisher expressed his concern that this could be problematic and asked if there were limitations. Mr. Bray confirmed there are no limitations and clarified the legislation was not directed at this Board only; it's all Boards and all Commissions.

Report on petition from Adrian Moore for rulemaking for prevention and early intervention services

Ms. Buchholtz reported that Adrian Moore, the executive director for the Council at At-Risk Youth, presented a set of proposed rules to the Board in August, requesting the Board consider adopting the rules relating to prevention and early intervention services. At that meeting, Mr. Moore confirmed that he is petitioning the agency to adopt the rules. The agency has to respond in writing within 60 days. The staff intends to deny Mr. Moore's petition for several reasons: the agency is already doing

substantial work in the area of the prevention and intervention, there is no additional funding to allocate for this service, a request for proposal is in progress to distribute approximately \$650,000.00 to county juvenile probation departments for school attendance improvement projects and the agency is partnering with other state agencies to work towards coordinating a delivery of delinquency prevention and drop-out prevention and intervention services. The rules proposed requires agency staff resources that are not available. Staff intends to respond to Mr. Moore, denying his petition and provide the following feedback: the agency will pass the proposed rules to the workgroup of the Rider 17.10, recommend he utilize concepts presented in the proposed rules by implementing them on a smaller scale and suggest possible coordination with the Department of Family Protective Services (DFPS), who has significant funding for this subject.

Discussion and possible approval to publish the proposal to complete the rule review and publish proposed revisions for 37 TAC Chapter 380 in the *Texas Register* for a 30-day comment period, for the following rules: §380.8502, §380.8557, and §380.8579

Ms. Buchholtz presented a summary of the proposed revisions to 380.8557. In order to be compliant with the law, revisions to this rule remove the executive director's authority to approve the Release Review Panel's (RRP) decision to release or discharge a youth with a violent or high severity committing offense. Previous administration added the executive director's decision authority. To date, Mr. Griffiths has not exercised this authority. Further discussion ensued regarding the purpose of the RRP and the members on the panel. Ms. Buchholtz stated she will continue to keep Mr. Griffiths informed of high profile cases before a decision to release a youth is granted.

Karol Davidson, Staff Attorney, presented proposed revisions to 380.8502 and 380.8535. 380.8502 involve the legal requirements for admission of youth to TJJD, establishing documentation required before a youth is admitted to TJJD; certified commitment order and vaccination records. Revisions to 380.8535 establish procedures to work with Immigration and Customs Enforcement (ICE) to determine the residency status of youth who are undocumented foreign nationals. It enables the agency to have appropriate placement and transition planning for youth when returning to their communities. Ms. Davidson provided follow-up information that was requested at the Safety and Security Committee meeting; the agency currently has 30 undocumented youth either in state facilities or on parole. She further clarified the rule numbering and division changed from 380.8579 to 380.8535 to appropriately place the rule in Placement Planning instead of Parole Placement and Discharge.

Judge Parker moved for approval to publish the proposed revisions. Judge Smith seconded. The motion passed unanimously.

Discipline of certified officers – default judgment orders

- a. **Dameon Roberson DH 13-16842-130089 (Harris)**
- b. **Johnathan Perry DH 13-25604 (Harris)**
- c. **Julio Villalon DH 13-10017 (Bexar)**
- d. **Emmanuel Munoz DH 13-25847 (Cameron)**

Mr. Bray reported additional information is needed for Mr. Emmanuel Munoz's default judgment order and will be brought back for Board consideration at a later date. He requested Board approval for the default judgment orders presented. Judge Parker recused herself from the vote for the Bexar County order; Julio Villalon. Judge Parker moved to approve the two default judgment orders for Harris County; Dameon Roberson and Johnathan Perry. Ms. King seconded. The motion passed unanimously. Judge Brieden moved to approve the default judgment order for Julio Villalon, Mr. Matthew seconded. The motion passed unanimously.

Chairman Fisher recessed open session at 11:42 a.m. to reconvene in closed session.

The Board reconvened in closed session at 11:48 a.m.

Chairman Fisher adjourned closed session at 12:31 p.m.

Chairman Fisher reconvened open session at 12:34 p.m.

Adjourn

There being no further business before the Board, Chairman Fisher adjourned the Board meeting at 12:35 p.m.